

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

JASRA et al

Atty. Ref.: 4062-95

Serial No. 10/693,643

TC/A.U.: 1754

Filed: October 27, 2003

Examiner:

For: PROCESS FOR THE PREPARATION OF MOLECULAR
SIEVE ADSORBENT FOR SELECTIVE ADSORPTION OF
OXYGEN FROM AIR

* * * * *

July 20, 2004

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO AND REQUEST FOR WITHDRAWAL
OF ERRONEOUS NOTICE OF INCOMPLETE REPLY**

The Notice of Incomplete Reply mailed 07/14/2004 alleges that this application was filed without an Abstract of the Disclosure. This allegation is incorrect because the application was originally filed on October 27, 2003 with an Abstract of the Disclosure attached on a separate page 17 at the end of the specification and claims (pages 1-16). A copy of that Abstract page is attached as is a copy of our October 27, 2003 transmittal letter which indicates attachment of the Abstract and a copy of the USPTO postcard receipt which acknowledges receipt of 17 pages of specification, claims and Abstract.

Accordingly, the original Notice to File Missing Parts was clearly erroneous in alleging lack of an Abstract and the reply to that Notice was not deficient because an Abstract of the Disclosure was already present in this application from the very start.

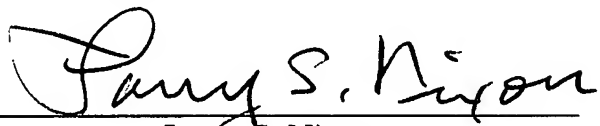
Accordingly, the original Notice to File Missing Parts was clearly erroneous in alleging lack of an Abstract and the reply to that Notice was not deficient because an Abstract of the Disclosure was already present in this application from the very start.

Furthermore, although the Notice to Missing Parts bears a mailing date of 01/28/2004, it was never received via the US Postal Service but, instead, in response to telephone inquiries about the status of this case a copy was finally and for the first time received here in this office on June 28, 2004. A request/petition for resetting of mailing date and/or refund of time extension fees has already been filed on July 8, 2004.

Under the circumstances, it is not believed that any additional time extension fee should be required for the filing of this response/request for withdrawal of erroneous Notice of Incomplete Reply. However, if time extension fees are deemed necessary, then authority is hereby given to charge them to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Larry S. Nixon
Reg. No. 25,640

LSN:vc
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100



New Patent Application C#/M#: 4062-95
Serial No.: Unknown Date: October 27, 2003
Inventor/s: JASRA et al Atty: LSN
Title: PROCESS FOR THE PREPARATION OF
MOLECULAR SIEVE ADSORBENT FOR SELECTIVE
ADSORPTION OF OXYGEN FROM AIR

Preliminary Amendment
17 Pages Specification, claims & Abstract
7 Claims
4 Sheets of Drawings
Declaration (Pages)
Assignment (Pages) Including Cover
Priority Document(s)

\$ Fee (Check) - Pre-Bill

\$ Fee (Check) - Non Pre-Bill

\$0.00 Total Fee Enclosed

Other:

22386 U.S. PTO
10/693643



REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)
WITHOUT FILING FEE AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION

Mail Stop Patent Application

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Atty. Dkt. 4062-95

Date: October 27, 2003



This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:
PROCESS FOR THE PREPARATION OF MOLECULAR SIEVE ADSORBENT FOR SELECTIVE ADSORPTION OF OXYGEN FROM AIR

without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

- ☐ Newly executed Declaration, ☐ Copy of Declaration from prior application, ☒ Abstract
☐ Please delete the following inventors in the continuation/division/continuation-in-part application:

Deleted persons:

16 pages of specification and claims (including 7 numbered claims), and
4 sheets of accompanying drawing/s.

☐ Attached is a Power of Attorney.

☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
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, respectively, the entire content of which is hereby incorporated by reference in this application..

- ☐ Certified copy(ies) of foreign application(s) is/are attached.
☐ Certified copy(ies) filed on _____ in prior application no. _____ filed _____
☐ Petition filed in prior application to extend its life to insure co-pendency.
☐ The prior application is assigned to
☐ It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.
☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.
☐ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:
☐ Also attached: ☐ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting inventor(s) named in prior application; ☐ Other:

- | | | | | | |
|----|-------------------|---|-----------------------|-----------|---------------|
| 1. | Inventor: | Raksh | Vir | JASRA | India |
| | | (first) | MI | (last) | (citizenship) |
| | Residence: (city) | Gujarat | (state/country) India | | |
| | Mailing Address: | c/o Central Salt and Marine Chemicals Research Institute, Bhavnagar, Gujarat, India | | | |
| | (Zip Code) | 364 002 | | | |
| 2. | Inventor: | Chintansinh | D. | CHUDASAMA | India |
| | | (first) | MI | (last) | (citizenship) |
| | Residence: (city) | Gujarat | (state/country) India | | |
| | Mailing Address: | c/o Central Salt and Marine Chemicals Research Institute, Bhavnagar, Gujarat, India | | | |
| | (Zip Code) | 364 002 | | | |

☐ See attached sheet(s) for additional inventor(s) information!!

Address all future communications to NIXON & VANDERHYE P.C., 1100 North Glebe Road, 8th Floor, Arlington, VA 22201.
Correspondence Address:

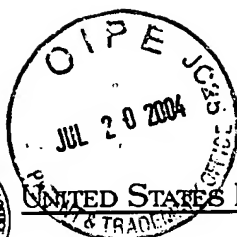
Customer Number:

23117

By Atty: Larry S. Nixon, Reg. No. 25,640

Telephone: (703) 816-4000
Facsimile: (703) 816-4100
LSN:pdg

Signature:



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/693,643	10/27/2003	Raksh Vir Jasra	4062-95

CONFIRMATION NO. 8904

FORMALITIES LETTER



OC000000013232524

23117
NIXON & VANDERHYE, PC
1100 N GLEBE ROAD
8TH FLOOR
ARLINGTON, VA 22201-4714

Date Mailed: 07/14/2004

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)***Filing Date Granted***

The U.S. Patent and Trademark Office has received your reply on 06/28/2004 to the Notice to File Missing Parts (Notice) mailed 01/28/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

P134

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE